IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 26314 of 2000

DATED: 30.12.2005

Between:

P.S.Khan petitioner

And

APSRTC rep by Vice Chairman & Managing Director

and others Respondents

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 26314 OF 2000

ORAL ORDER:

In the present writ petition, the petitioner seeks a direction to respondents to pay interest on delayed payment of retirement benefits
@ 18 % from the date of his retirement till the actual date of payment.

The petitioner, working as Timmer in the respondent corporation retired from service on attaining the age of superannuation on 28.2.2000. It is alleged that no departmental proceedings were pending against him as on the date of retirement and the respondent corporation for no reason delayed the payment of retirement and finally settled the same on 26.9.2000. Hence, the petitioner filed the present writ petition claiming interest @ 18 % for the delayed period.

Per contra, a counter affidavit was filed by the respondents stating that the petitioner suffered a punishment of reduction of pay by one incremental stage for a period of one year vide proceedings No.M2/118(1)/98-KKD dated 5.2.2000 and that the delay was caused due to finalisation of last basic pay and audit observations, verification of old records, wages drawn earlier etc.

Learned Standing Counsel for respondent corporation submitted that the delay in question was caused in attending the audit objections, verification of old records and the same cannot be attributed to the corporation and the petitioner is not entitled to receive any interest for the delayed payment.

It is expected that retirement benefits of an employee are settled on the date of his retirement, unless disciplinary proceedings are pending. In the present case, though the corporation has sought to explain the delay, this Court is not totally convinced with the explanation submitted by the Corporation. However, instead of granting interest, it is felt appropriate to award costs. The costs are quantified at Rs.3000/- which shall be paid to the learned counsel for petitioner within a period of six weeks from the date of receipt of copy of this order.

Subject to above, the writ petition is disposed of. No costs.

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N.V.RAMANA,J

30.12.2005

TVK

THE HON'BLE MR JUSTICE N.V. RAMANA

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